

REMARKS/ARGUMENTS

In response to the Office Action mailed February 28, 2002, Applicants request  
reconsideration in view of the following remarks.

---

1-4, 8-10, and 22-24 were rejected as anticipated by U.S. Patent No. 6,322,587 to Quiachon et al. (hereinafter Quiachon). This rejection is respectfully traversed.

Quiachon discloses an expandable, collapsible and flexible intraluminal vascular bifurcated graft. The graft comprises a deformable main tubular member which bifurcates into an ipsilateral tubular leg and a contralateral tubular leg. The tubular member and the tubular legs are each formed of a cylindrical or continuous wall allowing for fluid communication. This graft is for use proximate the aortic bifurcation.

Anticipation exists only if all of the elements of the claimed invention are present in a system or method disclosed, expressly or inherently in a single prior art reference. Therefore, if it can be shown that there is one difference between the claimed invention and what is disclosed in the single reference there can be no anticipation.

The present invention, as claimed in independent claims 1, 8 and 9, is directed to a prosthetic graft for placement by a single delivery catheter at the bifurcation of a common iliac artery into external iliac and internal arteries within the vasculature of a patient. In each of these claims, portions are adapted to be anchored in the external and internal iliac arteries. The present invention, as claimed in independent claim 22, is directed to a system which comprises a first bifurcated prosthetic graft having portions adapted to be anchored in the external iliac and internal iliac arteries.

The bifurcated graft of Quiachon is for use at the aortic bifurcation and sized appropriately. The device as claimed in the present invention is for use in the iliac bifurcation and is sized and configured accordingly. Quiachon fails to disclose or even remotely suggest a graft having portions, which are adapted to be anchored in the internal and external iliac arteries.

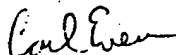
Serial No. 09/778,988

Since Quiachon fails to disclose or suggest these elements, there can be no anticipation.

Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicants would be willing to interview the present case if the Examiner so desires. Accordingly, the Examiner is invited to call the undersigned at (732) 524-2518 if such a call would facilitate the prosecution of this application.

Respectfully submitted,



\_\_\_\_\_  
Carl J. Evens  
Reg. No. 33,874  
Attorney for Applicants

Johnson & Johnson  
1 Johnson & Johnson Plaza  
New Brunswick, NJ 07933-7003  
May 6, 2002



Response Under 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3738

Docket No. CRD-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas V. Ressemann et al.

Serial No. : 09/778,988

Art Unit: 3738

Filed : February 7, 2001

Examiner: Suzette J. Jackson

For : BIFURCATED PROSTHETIC GRAFT

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, Washington, D.C. 20231 on

October 8, 2002

(Date)

Carl J. Evens

Name of applicant, assignee, or Registered Representative



(Signature)

October 8, 2002

(Date of Signature)

Commissioner for Patents  
Washington, D.C. 20231

REPLY

Dear Sir:

In response to the Final Office Action mailed August 14,  
2002, Applicants respectfully request that the following remarks  
be considered and entered into the file.

REMARKS

In response to the Final Office Action mailed August 14, 2002, Applicants request reconsideration in view of the following remarks.

Claims 1-4, 8-10 and 22-24 were rejected as anticipated by U.S. Patent Number 6,322,587 to Quiachon et al. (Quiachon). This rejection is respectfully traversed.

In this Action, the Examiner has indicated that Applicants' arguments filed on May 21, 2002, in response to the Office Action mailed February 28, 2002, were considered, but were not found to be persuasive. In support of this position, the Examiner has indicated that claims 1, 8 and 9 do not mention internal or external iliac arteries. However, Applicants respectfully submit that the Examiner is utilizing the incorrect set of claims for examination. A preliminary amendment was filed along with the above-referenced specification. Claims 1, 8 and 9 were amended in this preliminary amendment. A copy of the preliminary amendment and the application transmittal are attached.

The present invention, as claimed in amended independent claim 1, is directed to a graft for placement by a single delivery catheter at the bifurcation of a common iliac artery into external and internal iliac arteries. The graft comprises a first graft conduit having first and second stents. The first stent is secured in the common iliac and the second stent is secured in the external iliac. The graft also comprises a second graft conduit having a third stent secured in the internal iliac artery.

The present invention, as claimed in amended independent claim 8, is directed to a graft for placement by a single delivery catheter at the bifurcation of a common iliac artery into external iliac and internal iliac arteries. The graft comprises first and second graft conduits. The first graft conduit having a tubular graft component defining a lumen and at least one stent for securing the first graft conduit within the common iliac artery and the external iliac artery. The second graft conduit having a tubular graft component and a stent for securing the second graft component within the lumen of the internal iliac artery.

The present invention, as claimed in amended independent claim 9, is directed to a graft for placement by a single delivery catheter at the bifurcation of a common iliac artery into external and internal iliac arteries. The graft comprises first and second legs. The first leg having first and second leg segments. The first leg segment deployed in the common iliac artery and the second leg segment deployed in the external iliac artery. The second leg is deployed in the internal iliac artery.

The present invention, as claimed in independent claim 22, is directed to a system which comprises a first bifurcated prosthetic graft having portions adapted to be anchored in the external iliac and internal iliac arteries.

In each of these claims, the devices are sized for the iliac bifurcation.

Quiachon discloses an expandable, collapsible and flexible intraluminal vascular bifurcated graft. The graft comprises a deformable main tubular member which bifurcates into an ipsilateral tubular leg and a contralateral tubular leg. The tubular member and the tubular legs are each formed of a cylindrical or continuous wall allowing for fluid communication. This graft is for use proximate the aortic bifurcation.

Anticipation exists only if all of the elements of the claimed invention are present in a system or method disclosed, expressly or inherently in a single prior art reference. Therefore, if it can be shown that there is one difference between the claimed invention and what is disclosed in the single reference there can be no anticipation.

The bifurcated graft of Quiachon is for use at the aortic bifurcation and sized appropriately. The inventions as claimed in the instant application are for use in the iliac bifurcation and are sized and configured accordingly. Quiachon fails to disclose or even remotely suggest a graft having segments which anchor within the lumens of the internal and external iliac arteries. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicants would be grateful for the opportunity to conduct a telephone or in-person interview if the Examiner believes it would be helpful in disposing the present case.

This Reply raises no new issues and places the application in form for allowance. Therefore, entry is proper and earnestly solicited.

Respectfully submitted,



---

Carl J. Evens  
Reg. No. 33,874  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2518  
October 8, 2002